

Message

From: Michael A. Leon [MLeon@nutter.com]
Sent: 10/19/2017 8:33:09 PM
To: 'Weigert, David (ENRD)' [David.Weigert@usdoj.gov]
CC: Matthew Snell [MSnell@nutter.com]; Chin, William [chin.bill@epa.gov]; Olivier, Tom [olivier.tom@epa.gov]; Spina, Providence [Spina.Providence@epa.gov]; Bryan, Patrick (ENRD) [Patrick.Bryan@usdoj.gov]
Subject: RE: Global: Call Friday

Thanks, David, will do, and look forward to catching up tomorrow.

Michael



Michael A. Leon
Nutter McClennen & Fish LLP
Direct / 617-439-2815

From: Weigert, David (ENRD) [mailto:David.Weigert@usdoj.gov]
Sent: Thursday, October 19, 2017 4:33 PM
To: Michael A. Leon <MLeon@nutter.com>
Cc: Matthew Snell <MSnell@nutter.com>; Chin, William <chin.bill@epa.gov>; Olivier, Tom <olivier.tom@epa.gov>; Spina, Providence <Spina.Providence@epa.gov>; Bryan, Patrick (ENRD) <Patrick.Bryan@usdoj.gov>
Subject: RE: Global: Call Friday

Michael,

I'm still waiting for confirmation from a couple people in our group, but unless you hear otherwise let's assume we're on for tomorrow at 10 am. For the call, please use:

Call-In No.: 866-410-9426
Conference Code: 202-514-0133

Thanks.
David

*David L. Weigert
Senior Counsel
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phone (202) 514-0133
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From: Michael A. Leon [mailto:MLeon@nutter.com]
Sent: Thursday, October 19, 2017 3:03 PM
To: Weigert, David (ENRD) <DWeigert@ENRD.USDOJ.GOV>

Cc: Matthew Snell <MSnell@nutter.com>; Chin, William <chin.bill@epa.gov>; Olivier, Tom <olivier.tom@epa.gov>; Spina, Providence <Spina.Providence@epa.gov>; Bryan, Patrick (ENRD) <PBryan@ENRD.USDOJ.GOV>
Subject: RE: Global: Call Friday

David,

I suggest that 10:00 tomorrow morning (Friday) for a call.

Michael



Michael A. Leon
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From: Weigert, David (ENRD) [mailto:David.Weigert@usdoj.gov]
Sent: Wednesday, October 18, 2017 7:39 PM
To: Michael A. Leon <MLeon@nutter.com>
Cc: Matthew Snell <MSnell@nutter.com>; Chin, William <chin.bill@epa.gov>; Olivier, Tom <olivier.tom@epa.gov>; Spina, Providence <Spina.Providence@epa.gov>; Bryan, Patrick (ENRD) <Patrick.Bryan@usdoj.gov>
Subject: Global: Call Friday

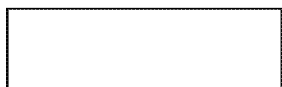
Michael- When are you available on Friday? Thanks. -David

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From: Michael A. Leon [mailto:MLeon@nutter.com]
Sent: Wednesday, October 18, 2017 5:39 PM
To: Bryan, Patrick (ENRD) <PBryan@ENRD.USDOJ.GOV>
Cc: Matthew Snell <MSnell@nutter.com>; Weigert, David (ENRD) <DWeigert@ENRD.USDOJ.GOV>; Chin, William <chin.bill@epa.gov>; Olivier, Tom <olivier.tom@epa.gov>; Spina, Providence <Spina.Providence@epa.gov>
Subject: RE: Global: Tolling Agreement Extension [2nd Request]

Sure. I'll give you a call on Friday.

Michael



Michael A. Leon
Nutter McClennen & Fish LLP
Direct / 617-439-2815

From: Bryan, Patrick (ENRD) [<mailto:Patrick.Bryan@usdoj.gov>]
Sent: Wednesday, October 18, 2017 4:53 PM
To: Michael A. Leon <MLeon@nutter.com>
Cc: Matthew Snell <MSnell@nutter.com>; Weigert, David (ENRD) <David.Weigert@usdoj.gov>; Chin, William <chin.bill@epa.gov>; Olivier, Tom <olivier.tom@epa.gov>; Spina, Providence <Spina.Providence@epa.gov>
Subject: RE: Global: Tolling Agreement Extension [2nd Request]

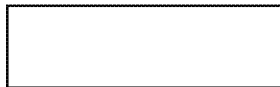
Thanks. Please note that I will be out of the office tomorrow and unavailable. We can talk on Friday. Does that work?

From: Michael A. Leon [<mailto:MLeon@nutter.com>]
Sent: Wednesday, October 18, 2017 4:47 PM
To: Bryan, Patrick (ENRD) <PBryan@ENRD.USDOJ.GOV>
Cc: Matthew Snell <MSnell@nutter.com>
Subject: RE: Global: Tolling Agreement Extension [2nd Request]

Hi Pat,

Coincidentally, we are on a conference call with respect to our response now. I can call you tomorrow.

Michael



Michael A. Leon
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From: Bryan, Patrick (ENRD) [<mailto:Patrick.Bryan@usdoj.gov>]
Sent: Wednesday, October 18, 2017 4:38 PM
To: Michael A. Leon <MLeon@nutter.com>; Matthew Snell <MSnell@nutter.com>
Cc: Chin, William <chin.bill@epa.gov>; Olivier, Tom <olivier.tom@epa.gov>; Spina, Providence <Spina.Providence@epa.gov>; Weigert, David (ENRD) <David.Weigert@usdoj.gov>
Subject: RE: Global: Tolling Agreement Extension [2nd Request]

Michael,

I understand that you spoke to David last week about Item No. 9 in the set of questions that we sent you on Sept. 29. If you'd like to discuss this further, please let us know. We can set up a call.

Also, can you please give us an update on the status of Global's responses to our questions? We'd appreciate your letting us know when we can expect to receive the information and supporting documentation.

Thanks,
Pat

Patrick B. Bryan
Trial Attorney

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E-mail: Patrick.Bryan@usdoj.gov

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From: Michael A. Leon [<mailto:MLeon@nutter.com>]
Sent: Wednesday, October 11, 2017 12:40 PM
To: Weigert, David (ENRD) <DWeigert@ENRD.USDOJ.GOV>
Cc: Chin, William <chin.bill@epa.gov>; Olivier, Tom <olivier.tom@epa.gov>; Spina, Providence <Spina.Providence@epa.gov>; Bryan, Patrick (ENRD) <PBryan@ENRD.USDOJ.GOV>; Matthew Snell <MSnell@nutter.com>
Subject: RE: Global: Tolling Agreement Extension [2nd Request]

David and Patrick,

Yes, I am confirming receipt of the Tolling Agreement Extension, and confirm that I will execute and return a copy to you by email tomorrow. I apologize for the delay, but have been out of the office. Global is preparing a response to the latest set of questions that were recently provided to us.

Michael



Michael A. Leon
Nutter McClennen & Fish LLP
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From: Weigert, David (ENRD) [<mailto:David.Weigert@usdoj.gov>]
Sent: Wednesday, October 11, 2017 12:37 PM
To: Michael A. Leon <MLeon@nutter.com>
Cc: Chin, William <chin.bill@epa.gov>; Olivier, Tom <olivier.tom@epa.gov>; Spina, Providence <Spina.Providence@epa.gov>; Bryan, Patrick (ENRD) <Patrick.Bryan@usdoj.gov>
Subject: Global: Tolling Agreement Extension [2nd Request]
Importance: High

Michael,

Please confirm receipt of our email below, conveying the attached proposed tolling agreement amendment in the Global - South Portland Terminal case, and let us know the status of Global's response. To allow continued discussions between the parties, considering the intervening holidays, the amendment extends the tolling period by four months to February 28, 2017. Except for the dates, the body of the amendment is identical to the last one executed by the parties.

If the proposed extension is acceptable to Global, please have it executed by an authorized representative and email us a scanned copy of the executed document **as soon as possible, but no later than this Friday, October 13.**

Thanks.
David

*David L. Weigert
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From: "Bryan, Patrick (ENRD)" <PBryan@ENRD.USDOJ.GOV>
Date: October 5, 2017 at 10:37:09 AM CDT
To: 'Matthew Snell' <MSnell@nutter.com>, "Michael A. Leon" <MLeon@nutter.com>
Cc: "Weigert, David (ENRD)" <DWeigert@ENRD.USDOJ.GOV>, "Chin, William" <chin.bill@epa.gov>, "Spina, Providence" <Spina.Providence@epa.gov>, "Olivier, Tom" <olivier.tom@epa.gov>
Subject: RE: Global Partners - meeting at EPA

Matt and Michael,

Good morning. To facilitate our continuing discussions, attached is an amendment to the tolling agreement, extending the tolling period through February 28, 2018. After receiving your client's consent, please return the signed amendment to me and David (preferably by email), so that we can then sign it for the United States. If Global does not consent, please let us know promptly.

As always, please contact us if you have any questions/concerns. (Please note that I will be out of the office from Oct. 9 through Oct. 13. While I am away, if you would like to discuss this matter, please contact David Weigert.)

Thank you.

- Pat

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From: Matthew Snell [<mailto:MSnell@nutter.com>]
Sent: Friday, September 29, 2017 2:58 PM
To: Bryan, Patrick (ENRD) <PBryan@ENRD.USDOJ.GOV>; Michael A. Leon <MLeon@nutter.com>
Cc: Weigert, David (ENRD) <DWeigert@ENRD.USDOJ.GOV>; Chin, William <chin.bill@epa.gov>; Spina, Providence <Spina.Providence@epa.gov>; 'Olivier, Tom' <olivier.tom@epa.gov>
Subject: RE: Global Partners - meeting at EPA

Thank you Pat. We will review and be in touch if we have any questions. One housekeeping matter, we assume that you will circulate a further extension to the tolling agreement, which I believe currently expires at the end of October.

Matt



Matthew Snell
Nutter McClennen & Fish LLP
Direct / 617-439-2617

From: Bryan, Patrick (ENRD) [<mailto:Patrick.Bryan@usdoj.gov>]
Sent: Friday, September 29, 2017 1:47 PM
To: Michael A. Leon <MLeon@nutter.com>; Matthew Snell <MSnell@nutter.com>
Cc: Weigert, David (ENRD) <David.Weigert@usdoj.gov>; Chin, William <chin.bill@epa.gov>; Spina, Providence <Spina.Providence@epa.gov>; 'Olivier, Tom' <olivier.tom@epa.gov>
Subject: RE: Global Partners - meeting at EPA

Michael and Matthew,

Good afternoon. As a follow-up to our August 30, 2017 meeting, to facilitate discussions, please provide information in response to the attached set of questions within 30 days. As always, please contact us if you have any questions or concerns. Thank you.

Best,
Pat

Patrick B. Bryan

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E-mail: Patrick.Bryan@usdoj.gov

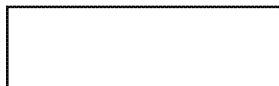
Overnight Mail:
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From: Michael A. Leon [<mailto:MLeon@nutter.com>]
Sent: Wednesday, August 23, 2017 6:37 PM
To: Bryan, Patrick (ENRD) <PBryan@ENRD.USDOJ.GOV>
Cc: Matthew Snell <MSnell@nutter.com>; Weigert, David (ENRD) <DWeigert@ENRD.USDOJ.GOV>; Chin, William <chin.bill@epa.gov>; Olivier, Tom <olivier.tom@epa.gov>; Tom Keefe <TKeefe@globalp.com>; Steve Piper <spiper@mjbradley.com>
Subject: RE: Global Partners - meeting at EPA

Thanks, Pat,

I think that time should be sufficient. We have a presentation prepared, including a PowerPoint overview, and can propose a general order of discussion. As we discussed, we want to describe the details of our control system proposal, the demonstration and testing process, the impact of federally enforceable operating controls (throughput limits) and other regulatory issues presented by the Maine regulatory program. As you know, the testing protocol suggested by the Agency raises questions we would like to discuss, and of course our program for tank integrity assurance is important. I would think that all of these can be covered, although we may find that the mitigation and penalty issues may need to be deferred, depending on the depth of discussion on the other issues.

Michael



Michael A. Leon
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From: Bryan, Patrick (ENRD) [<mailto:Patrick.Bryan@usdoj.gov>]
Sent: Wednesday, August 23, 2017 4:53 PM
To: Michael A. Leon <MLeon@nutter.com>
Cc: Matthew Snell <MSnell@nutter.com>; Weigert, David (ENRD) <David.Weigert@usdoj.gov>; Chin, William <chin.bill@epa.gov>; Olivier, Tom <olivier.tom@epa.gov>; Tom Keefe <TKeefe@globalp.com>; Steve Piper <spiper@mjbbradley.com>
Subject: RE: Global Partners - meeting at EPA

Michael,

Good afternoon. We look forward to meeting with you next Wednesday, August 30. Please note that we would like to conclude the meeting by 1pm, as we have another obligation that has arisen. We anticipate that this will leave us with sufficient time, but wanted to let you know in advance. Please let us know if this poses any problems on your end.

Also, we were wondering: to aid our discussion, do you plan to circulate an agenda before our meeting?

Thanks,
Pat

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Fax: 202-616-2427
E-mail: Patrick.Bryan@usdoj.gov

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From: Michael A. Leon [<mailto:MLeon@nutter.com>]
Sent: Friday, August 04, 2017 2:56 PM
To: Bryan, Patrick (ENRD) <PBryan@ENRD.USDOJ.GOV>
Cc: Matthew Snell <MSnell@nutter.com>; Weigert, David (ENRD) <DWeigert@ENRD.USDOJ.GOV>; Donohue, Brian (ENRD) <BDonohue@ENRD.USDOJ.GOV>; Chin, William <chin.bill@epa.gov>; Olivier, Tom <olivier.tom@epa.gov>; Tom Keefe <TKeefe@globalp.com>; Steve Piper <spiper@mjbbradley.com>
Subject: Re: Global Partners - meeting at EPA

That's good for us. Thank you.

Michael

Michael A. Leon
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(617) 439-2815

On Aug 4, 2017, at 9:34 AM, Bryan, Patrick (ENRD) <Patrick.Bryan@usdoj.gov> wrote:

Michael,

Good morning. For the meeting on August 30 at EPA's Region 1 offices in Boston, we'd like to start at 11am. Please confirm that this time is good for you.

Thanks,
Pat

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Fax: 202-616-2427
E-mail: Patrick.Bryan@usdoj.gov

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From: Michael A. Leon [<mailto:MLeon@nutter.com>]
Sent: Wednesday, August 02, 2017 3:48 PM
To: Bryan, Patrick (ENRD) <PBryan@ENRD.USDOJ.GOV>
Cc: Matthew Snell <MSnell@nutter.com>; Weigert, David (ENRD) <DWeigert@ENRD.USDOJ.GOV>; Engel, Bethany (ENRD) <BEngel@ENRD.USDOJ.GOV>; Donohue, Brian (ENRD) <BDonohue@ENRD.USDOJ.GOV>; Chin, William <chin.bill@epa.gov>; Olivier, Tom <olivier.tom@epa.gov>; Tom Keefe <TKeefe@globalp.com>; Steve Piper <spiper@mjbbradley.com>
Subject: RE: Global Partners - meeting at EPA

Thanks Pat. That will work for me, and I'm copying Tom Keefe and Steve Piper. Let's set it up.

Michael



Michael A. Leon
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From: Bryan, Patrick (ENRD) [<mailto:Patrick.Bryan@usdoj.gov>]
Sent: Wednesday, August 02, 2017 3:43 PM
To: Michael A. Leon <MLeon@nutter.com>
Cc: Matthew Snell <MSnell@nutter.com>; Weigert, David (ENRD) <David.Weigert@usdoj.gov>; Engel, Bethany (ENRD) <Bethany.Engel@usdoj.gov>; Donohue, Brian (ENRD) <Brian.Donohue@usdoj.gov>; Chin, William <chin.bill@epa.gov>; Olivier, Tom <olivier.tom@epa.gov>
Subject: RE: Global Partners - meeting at EPA

Michael,

Our team can be available on Wednesday, August 30. Shall we schedule the meeting on that date?

Thanks,
Pat

From: Michael A. Leon [<mailto:MLeon@nutter.com>]
Sent: Wednesday, August 02, 2017 1:24 PM
To: Bryan, Patrick (ENRD) <PBryan@ENRD.USDOJ.GOV>
Cc: Matthew Snell <MSnell@nutter.com>; Weigert, David (ENRD) <DWeigert@ENRD.USDOJ.GOV>; Engel, Bethany (ENRD) <BEngel@ENRD.USDOJ.GOV>; Donohue, Brian (ENRD) <BDonohue@ENRD.USDOJ.GOV>; Chin, William <chin.bill@epa.gov>; Olivier, Tom <olivier.tom@epa.gov>
Subject: Re: Global Partners - meeting at EPA

Thanks Pat,

I just returned from a meeting with the Global team, and I believe Tom Keefe may be away that week, which is when I return from vacation. We may have to push it to the following week. I know we all have a lot on the schedule but let me know if the first three days of that week is possible.

Thanks.

Michael

Michael A. Leon
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On Aug 2, 2017, at 12:41 PM, Bryan, Patrick (ENRD) <Patrick.Bryan@usdoj.gov> wrote:

Michael and Matthew:

Greetings. To follow up on the request that you made on the call this past Friday with Bill and my DOJ colleagues (David and Beth), are you available to meet with EPA/DOJ on Wednesday, on August 23, at Region 1's office in Boston? We could start late morning or early afternoon to accommodate travel schedules. Our team is available then and we were hoping to lock in the date. Please let us know.

Thanks,
Pat

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